

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:  
RENE EDGARDO COTO LAZO  
2635 EDGE O LAKE DR  
NASHVILLE, TN 37217

CASE 15-00379-MH3-13  
JUDGE MARIAN F HARRISON  
5/6/2015

SSN XXX-XX-4044

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**NOTICE OF CONFIRMATION AND PLAN TERMS**

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ON 05/05/2015 the debtor(s) Chapter 13 plan, as amended, was confirmed by order of JUDGE MARIAN F HARRISON. This order provides an extension of the finality date to provide all parties in interest the opportunity to review the plan or its terms and seek relief from its term pursuant to Rule 9023, Federal Rules Bankruptcy. Any application for relief under Rule 9023 must be filed with the court on or before 05/30/2015. Thereafter, the confirmed plan will be deemed final and binding on all parties pursuant to 11 U.S.C. §1327.

R. COTO LAZO to pay \$513.00 BI-WEEKLY [PLUS TAX REFUNDS]  
R. COTO LAZO to pay \$513.00 BI-WEEKLY [PLUS TAX REFUNDS]

to the Trustee who shall disburse funds pursuant to the terms of the confirmed plan.

To the Court Clerk the sum of \$235.00 [Class 1] and \$75.00 [Class 2] for filing and noticing fees.

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The plan requires the Trustee to maintain ongoing mortgage payments as follows:

<u>Creditor/Collateral</u>	<u>Post Conf Payment</u>	<u>Last Month Included In The Arrearage Claim</u>	<u>Class</u>
! RUSHMORE LOAN MANAGEMENT SERVI(	\$1,278.43	05-15	4

If the holder of a claim listed above files a Notice of Mortgage Payment Change under Rule 3002.1, Fed. R. Bankr. P., the Trustee may adjust the postpetition regular payment listed above and payments into the plan in paragraph 2 in accordance with the creditor's notice upon filing a notice of payment adjustment and delivering a copy to the debtor, the debtor's attorney, the creditor, and the U.S. Trustee.

The Trustee is authorized to pay any postpetition fees, expenses, and charges, notice of which is properly filed pursuant to Rule 3002.1, Fed. R. Bankr. P., and as to which no objection is raised, at the same disbursement level as the arrearage claim listed above.

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The plan cures prepetition defaults on such mortgages as follows:

<u>Creditor/Collateral</u>	<u>Arrears</u>	<u>Monthly Payment</u>	<u>Class (Arrears)</u>
! RUSHMORE LOAN MANAGEMENT SERVICES LLC	\$36,111.65(e	pro rata	5

The defaults cured by the plan include prepetition arrearages (derived from the proofs of claim) and post petition, preconfirmation monthly installments.

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As of the date of this notice, the following notice of post petition fees, expenses, and charges has been filed:

<u>Creditor/Collateral</u>	<u>Claim Amount</u>	<u>Monthly Payment</u>	<u>Class</u>
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----- NONE -----

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The court has fixed a value on the collateral held by all secured creditors, which value shall be deemed the extent of the secured claim. Such creditors shall retain the lien on their collateral and shall be treated as follows:

<u>Creditor/collateral</u>	<u>Secured Claim</u>	<u>Interest</u>	<u>Monthly Payment</u>	<u>Class</u>
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----- NONE -----

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To creditors holding claims secured by a purchase money security interest in a motor vehicle incurred within 910 days preceding the petition or secured by a purchase money security interest in any other thing of value incurred in the 1 year period preceding the filing as follows:

<u>Creditor/Collateral</u>	<u>Interest</u>	<u>Claim Amt To Be Pd</u>	<u>Monthly Payment</u>	<u>Class</u>
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----- NONE -----

Each creditor listed above shall retain its lien pursuant to 11 U.S.C. § 1325(a)(5)(b) until the earlier of (1) payment of the underlying debt determined under nonbankruptcy law or (2) discharge under 11 U.S.C. § 1328, at which time the lien shall terminate and be released by the claimholder.

To any creditor deemed to have accepted the plan (as designated by an \*), the Trustee shall pay the allowed claim as a secured claim under this paragraph only to the extent of the claim amount stated above. The portion of any such allowed claim that exceeds the claim amount stated above will be treated as an unsecured claim under paragraph 3(i).

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To the debtor's attorney, JAMES FLEXER, the sum of \$3,520.00 to be paid at \$345.00 per month. [Class 3]

Total fee awarded is \$3,520.00 .

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The plan requires the payment, of priority claims, proofs of which are timely filed, as follows:

<u>Creditor</u>	<u>Claim Amt</u>	<u>Interest</u>	<u>Class</u>	
* UNITED STATES TREASURY	\$0.00 monthly	\$100.00	0.00%	6
(14 TAXES)				

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The plan treats some unsecured claims differently than others. The following claims to unsecured claimholders, in classes and paid in classes, sequentially as shown below:

<u>Class</u>	<u>Creditor Name</u>	<u>Interest</u>	<u>Dividend</u>	<u>Claim</u>	<u>Class</u>
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----- NONE -----

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The plan establishes a minimum dividend to general unsecured creditors, with timely claims but may establish a dividend to some creditors that differ from others. The following claims will be paid in the general unsecured class:

<u>Creditor Name</u>	<u>Interest</u>	<u>Dividend</u>	<u>Claim</u>	<u>Account</u>	<u>Class</u>
AFNI	0.00%	1.00%	\$0.00	xxxxxxxx	7

BANK OF AMERICA OPERATIONS C	0.00%	1.00%	\$0.00	xxxxxxxx0899	7
BAPTIST HOSPITAL	0.00%	1.00%	\$0.00	xxxxxxxx2416	7
CHRYSLER FINANCIAL	0.00%	1.00%	\$0.00	xxxxxxxx0809	7
CITIBANK HOME DEPOT	0.00%	1.00%	\$0.00	xxxxxxxx77N1	7
COMCAST	0.00%	1.00%	\$0.00	xxxxxxxx9757	7
DISH NETWORK	0.00%	1.00%	\$0.00	xxxxxxxx4462	7
DR CHRISTIAN F VISSERS	0.00%	1.00%	\$0.00	xxxxxxxx8692	7
FORT SILL NATIONAL BANK	0.00%	1.00%	\$0.00	xxxxxxxx1107	7
GAULT FINANCIAL/US BANK	0.00%	1.00%	\$0.00	xxxxxxxx	7
GE CAPITAL SAMS CLUB	0.00%	1.00%	\$0.00	xxxxxxxx4357	7
GE MONEY BANK	0.00%	1.00%	\$0.00	xxxxxxxx0222	7
GEMB/WHITEHALL	0.00%	1.00%	\$0.00	xxxxxxxx1973	7
HSBC/RS CE	0.00%	1.00%	\$0.00	xxxxxxxx0744	7
JEFFERSON CAPITAL SYSTEMS	0.00%	1.00%	\$0.00	xxxxxxxx	7
MONITRONICS INTERNATIONAL RE	0.00%	1.00%	\$0.00	xxxxxxxx7180	7
MONOTRONICS	0.00%	1.00%	\$0.00	xxxxxxxx	7
PORTFOLIO RECOVERY ASSOCIATES LLC	0.00%	1.00%	\$0.00	xxxxxxxx	7
PREMIER ORTHOPAEDICS & SPORTS MEDICINE	0.00%	1.00%	\$0.00	xxxxxxxx1437	7
PYOD LLC	0.00%	1.00%	\$0.00	xxxxxxxx	7
* RADIOLOGY ALLIANCE	0.00%	1.00%	\$55.00	xxxxxxxx6783	7
SPRINT	0.00%	1.00%	\$0.00	xxxxxxxx7973	7
SPRINT NEXTEL	0.00%	1.00%	\$0.00	xxxxxxxx	7

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The following parties will receive future notices, but no distribution will be made to them under the confirmed plan:

AUTO MASTERS	AUTO MASTERS	LVNV FUNDING SAMS CLUB
CARRINGTON MORTGAGE SERVICES	GAULT FINANCIAL	LVNV FUNDING/SAMS CLUB
HSBC BANK NEV		

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Post-petition claims, allowed pursuant to 11 U.S.C. §1305, shall be paid pro rata but subordinated to the payment of pre-petition unsecured claims. [Class 8]

Case to be dismissed, without further hearing, upon filing of notice of non-compliance and order dismissing by the trustee.

Confirmation of this Plan shall impose upon any claimholder treated under U.S.C. §1322(b) (5) and, holding as collateral, the debtor's residence, the obligation to:

- a. Apply the payments received from the Trustee on preconfirmation arrearages only to such arrearages. For purposes of this Plan, the "preconfirmation" arrears shall include all sums included in the allowed proof of claim plus any postpetition preconfirmation payments due under the underlying mortgage obligation not specified in the allowed proof of claim. Monthly ongoing mortgage payments shall be paid by the trustee commencing with the later of the month of confirmation or the month in which a proof of claim itemizing the arrears is filed by such claimholder.
- b. Treat the mortgage obligation as current at confirmation such that future payments, if made pursuant to the plan, shall not be subject to late fees, penalties or other charges.

The debtor must contribute tax refunds to the Trustee to increase funds available to the creditors holding allowed claims. Any tax refund received by the Trustee will be added to the "base" amount fixed in the plan.

Unsecured creditors shall receive their prorata portion of the Unsecured Pool that remains after satisfaction of all allowed priority and administrative claims, not to be less than **1.000%** of such claims. **[Class 7]**

The unsecured pool shall be increased by the "base" amount not needed to satisfy allowed secured, priority, and administrative claims (including the trustee's commission).

The plan establishes a minimum pool of funds to be paid to all unsecured creditors called the "unsecured pool". Nonpriority unsecured creditors holding allowed claims shall receive a pro rata share of the unsecured pool after allowed unsecured priority and administrative claims have been satisfied. The plan establishes the Unsecured Pool at **N/A**.

The plan sets a minimum pool of funds to be paid to the Trustee by the debtor(s) called a base. The debtor(s) must pay this base or allowed claims in full before a discharge may be entered. The base is fixed at **\$133,380.00 increased by tax refunds**.

Please note that this Notice is only a summary of the plan as confirmed by the Court. You are cautioned to review the Court's order approving the plan, available on PACER at <http://ecf.tnmb.uscourts.gov>.

**/s/HENRY E HILDEBRAND, III**

CHAPTER 13 TRUSTEE

P O BOX 340019

NASHVILLE, TN 37203

PHONE: 615-244-1101

FAX: 615-242-3241

pleadings@ch13nsh.com

\* An asterisk denotes that a proof of claim has been filed for the listed creditor. No disbursements will be made on any claim pursuant to the plan unless an allowed proof of claim is filed.